

09-26-05

PART B - FEE(S) TRANSMITTAL

P-5
SEP 23 2005
PATENT & TRADEMARK OFFICE

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

24247 7590 06/28/2005

TRASK BRITT
P.O. BOX 2550
SALT LAKE CITY, UT 84110

09/27/2005 MBELETE2 00000002 10609297

01 FC:1501 1400.00 OP
02 FC:1504 300.00 OP
03 FC:8001 15.00 OP

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label Number: EL995991245US

Date of Deposit with USPS: September 23, 2005

Person making Deposit: Steve Wong

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,297	06/27/2003	Mark A. Jaso	2269-5593US (02-0967.01/U)	7879

TITLE OF INVENTION: APPARATUS, METHOD AND SYSTEM FOR MONITORING CHAMBER PARAMETERS ASSOCIATED WITH A DEPOSITION PROCESS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	09/28/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
VERSTEEG, STEVEN H	1753	204-192130

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).	2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.
<input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.	1. TraskBritt

"Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. _____

3. _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

MICRON TECHNOLOGY, INC.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Boise, Idaho

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

4a. The following fee(s) are enclosed:

Issue Fee
 Publication Fee (No small entity discount permitted)
 Advance Order - # of Copies 5

4b. Payment of Fee(s):

A check in the amount of the fee(s) is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Director is hereby authorized by charge the required fees, or credit any overpayment, to Deposit Account Number 20-1469 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature Jeff M. Michelsen

Date September 23, 2005

Typed or printed name Jeff M. Michelsen

Registration No. 50,978

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jaso et al.

Serial No.: 10/609,297

Filed: June 27, 2003

For: APPARATUS, METHOD AND
SYSTEM FOR MONITORING CHAMBER
PARAMETERS ASSOCIATED WITH A
DEPOSITION PROCESS

Confirmation No.: 7879

Examiner: Steven H. Versteeg

Group Art Unit: 1753

Attorney Docket No.: 2269-5593US
(02-0967.01/US)

Notice of Allowance Mailed:

June 28, 2005

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label Number: EL995991245US

Date of Deposit with USPS: September 23, 2005

Person making Deposit: Steve Wong

TRANSMITTAL LETTER

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith Part B - Fee(s) Transmittal for the above-captioned application and a check in the amount of \$1,715.00 in payment therefor plus five (5) copies of the patent when issued.

Also enclosed are Comments on Statement of Reasons for Allowance and Fee Addressee for Receipt of PTO Notices Relating to Maintenance Fees.

Applicants understand that no additional fees are required. However, if the Office determines that any comparison fees or other additional fees are required, the Commissioner is authorized to charge any such fees to TraskBritt Deposit Account No. 20-1469. A copy of this Transmittal Letter is enclosed for deposit account charging purposes.

Respectfully submitted,



Jeff M. Michelsen
Registration No. 50,978
Attorney for Applicants
TRASKBRITT
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: September 23, 2005

JMM/dlm:eg

Enclosures: Part B - Issue Fee Transmittal

Check No. 22146 in the amount of \$1,715.00

Copy of Transmittal Letter

Comments on Statement of Reasons for Allowance (2 pages)

Fee Addressee for Receipt of PTO Notices Relating to Maintenance Fees (2 pages)

Document in ProLaw



PATENT

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This communication sets forth Applicants' comments, pursuant to 37 C.F.R. §1.104(e), on the Examiner's Statement of Allowable Subject Matter accompanying a Notice of Allowance mailed June, 28, 2005. The Examiner indicates:

[it is neither anticipated nor obvious over the prior art of record to have an apparatus as claimed by Applicant in claim 1 or a sputter deposition system as claimed by Applicant in claim 43.

Tuganov does not disclose providing an output signal from which at least one characteristic of the surface can be determined.

US 6,421,132 B1 to Brajovic does not use a transport arm. There is no motivation to combine Brajovic with Tuganov.]

Applicants concur with the reasons as stated by the Examiner insofar as they comprise a summary. However, the scope of the claims is based on the actual language of the claims and equivalents thereof, and not on a paraphrase or summary of the claim language.

The Independent claims as allowed recite features and methodology in addition to, and in different language than, those described in the Statement of Allowable Subject Matter. Furthermore, the dependent claims recite elements in addition to those of the independent claims, which are also not reflected in the Statement of Allowable Subject Matter. Such additional elements, in combination with those of the independent claims from which each claim depends, provide additional reasons for patentability. Accordingly, the scope of the claims must be determined from the literal language of each as a whole, as well as all equivalents thereof.

Therefore, to the extent that the Examiner's reasons for allowance as stated are not relevant to, or wholly encompassing of, a particular claim, independent or dependent, Applicants assume that (pursuant to 37 C.F.R. §1.104(e)) the Examiner has determined that the record of the prosecution as a whole of the application makes clear the reasons for allowing those claims. Further, it appears, pursuant to M.P.E.P. 1302.14, that the Examiner's Statements of Allowable Subject Matter are not intended to encompass all of the reasons for allowance.

Respectfully submitted,



Jeff M. Michelsen
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P.O. Box 2550
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Telephone: 801-532-1922

Date: September 23, 2005

JMM/dlm:eg

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